

Senate Engrossed

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
Senate
Forty-sixth Legislature
Second Regular Session
2004

CHAPTER 131

SENATE BILL 1222

AN ACT

AMENDING TITLE 13, CHAPTER 40, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-4438; RELATING TO VICTIMS' RIGHTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 13, chapter 40, Arizona Revised Statutes, is amended
3 by adding section 13-4438, to read:

4 13-4438. Statement of rights

5 IN ORDER TO ASSURE THAT ANY VICTIM WHO COMES BEFORE THE COURT HAS BEEN
6 ADVISED OF THE VICTIM'S CONSTITUTIONAL RIGHTS, AT THE DAILY COMMENCEMENT OF
7 THE REGULAR CRIMINAL DOCKET AT WHICH ACCUSED PERSONS ARE ARRAIGNED, APPEAR
8 FOR A STATUS CONFERENCE, MAKE A CHANGE OF PLEA OR ARE SENTENCED, A JUDGE OF
9 THE SUPERIOR COURT SHALL MAKE THE FOLLOWING STATEMENT:

10 IF YOU ARE THE VICTIM OF A CRIME WITH A CASE PENDING
11 BEFORE THIS COURT, YOU ARE ADVISED THAT YOU HAVE RIGHTS UNDER
12 ARIZONA LAW THAT, AMONG OTHERS, INCLUDE THE RIGHT TO BE TREATED
13 WITH FAIRNESS, RESPECT AND DIGNITY, TO A SPEEDY TRIAL, TO BE
14 PRESENT AT COURT PROCEEDINGS, TO CHOOSE WHETHER OR NOT TO BE
15 INTERVIEWED BY THE DEFENDANT OR THE DEFENDANT'S ATTORNEY, TO BE
16 HEARD BEFORE THE COURT MAKES A DECISION ON RELEASE, NEGOTIATION
17 OF A PLEA, SCHEDULING AND SENTENCING AND TO RECEIVE RESTITUTION
18 FROM A PERSON WHO IS CONVICTED OF CAUSING YOUR LOSS. IF YOU
19 HAVE NOT ALREADY BEEN PROVIDED WITH A WRITTEN STATEMENT OF ALL
20 VICTIMS' RIGHTS, PLEASE CONTACT THE VICTIM SERVICES DIVISION OF
21 THE PROSECUTOR'S OFFICE.

APPROVED BY THE GOVERNOR APRIL 19, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 19, 2004.